

**IN THE CIRCUIT COURT OF ST. LOUIS COUNTY
STATE OF MISSOURI**

MAHOGANY COATS,)	
Plaintiff,)	
)	Case No.:
v.)	
)	
SANOFI-AVENTIS U.S. LLC,)	
<u>Serve Registered Agent at:</u>)	Division:
CSC-Lawyers Incorporating Service)	
Company)	
221 Bolivar)	JURY TRIAL DEMANDED
Jefferson City, MO 65101,)	
Defendant.)	

PETITION FOR DAMAGES

COMES NOW Plaintiff Mahogany Coats, by and through her undersigned counsel, and for her Petition for Damages ("Petition") against Sanofi-Aventis U.S. LLC ("Sanofi"), states as follows:

NATURE OF ACTION

1. This action is brought pursuant to the Missouri Human Rights Act, RSMo. §§ 213.010, *et seq.* ("MHRA"), to redress Plaintiff Mahogany Coats's claim of sex discrimination.
2. Plaintiff has satisfied all administrative prerequisites to suit.
3. On or about November 23, 2016, Ms. Coats filed an administrative charge of Discrimination with the Equal Employment Opportunity Commission (the "EEOC") Charge # 846-2017-02796, which was filed concurrently with the Missouri Commission on Human Rights (the "MCHR"), Charge # FE-12/16-27163.
4. On or about April 28, 2017, the MCHR issued a Notice of Right to Sue.

JURISDICTION AND VENUE

5. Plaintiff realleges and incorporates herein by reference each and every of the preceding allegations of this Petition as if fully set forth herein.

6. Defendant Sanofi's principal place of business is in Saint Louis County, State of Missouri. Defendant Sanofi is also a Foreign Registered Limited Liability Company being duly formed under the laws of the State of Delaware.

7. The Court has jurisdiction over this action because all conduct alleged throughout this Petition and giving rise to Plaintiff's causes of action occurred in Saint Louis County, State of Missouri.

8. Venue is proper in Saint Louis County, State of Missouri, pursuant to § 508.010.4 RSMo. and § 213.111.1 RSMo.

PARTIES

9. Plaintiff, Mahogany Coats (sometimes hereafter referred to as "Plaintiff"), was employed by Sanofi in October of 2016 until December 23, 2016. Plaintiff, at all times relevant hereto, was pregnant.

10. Defendant Sanofi is a pharmaceutical company located in St. Louis County in the State of Missouri, located at 6244 Lemay Ferry Road, St. Louis, MO 63129.

11. At all pertinent times hereto, Defendant Sanofi, was an "employer" as defined by § 213.010(7) RSMo., in that Defendant Sanofi employs six (6) persons or more in the State of Missouri and is a foreign limited liability company duly formed, organized and existing under the laws of the State of Delaware and properly registered as a foreign limited liability company and duly authorized to transact business in the State of Missouri under the laws of the State of Missouri and doing business in St. Louis

County, Missouri, and may be served by and through its Registered Agent, CSC-Lawyers Incorporating Service Company, located at 221 Bolivar, Jefferson City, MO 65101.

FACTS RELEVANT TO ALL COUNTS

12. Plaintiff realleges and incorporates herein by reference each and every of the preceding allegations of this Petition as if fully set forth herein.

13. In October of 2016, Defendant Sanofi hired Plaintiff as a “packer” working on the manufacturing line for Sanofi, and Plaintiff held this same position until December 23, 2016.

14. Throughout Plaintiff’s employment with Sanofi, Plaintiff was pregnant.

15. In her capacity as a Manager, Ms. Janese Sexton (“Janese”) was Plaintiff’s supervisor.

16. Janese ordered Plaintiff to work the end of the line, a position which requires period lifting of heavy boxes.

17. Plaintiff informed Janese that Plaintiff would be physically unable to work the assigned position due to her pregnancy but that Plaintiff could work any other position on the line.

18. Janese responded to Plaintiff by making belittling, derogatory and humiliating public comments to Plaintiff within view and hearing of Plaintiff’s coworkers.

19. In talking to Plaintiff in front of Plaintiff’s coworkers, Janese stated, “You’re pregnant”, “I can’t use you if you cannot rotate positions”, “you might as well go home”, “why didn’t they keep you over [at the other location]”, “I don’t think you should be over here”, “you will receive no special treatment”, and “look around, it’s not fair to other employees if you cannot rotate positions.”

20. Janese's public statements toward Plaintiff humiliated belittled and embarrassed Plaintiff causing her undue physical and emotional stress.

21. As a result of Defendant's behavior, by and through Janese, hostile working environment was created.

22. Upon information and belief Defendant has made accommodations for employees in the past who were pregnant.

23. As already herein mentioned, Plaintiff filed her Charge of Discrimination with the EEOC and MCHR on or about November 23, 2016.

24. As a direct and proximate result of Defendant's actions, including the hostile working environment created by Janese's actions as referenced above, Plaintiff was constructively discharged and resigned on June 23, 2016.

25. As a direct and proximate result of Defendant's actions, Plaintiff has sustained, and will continue to sustain, lost wages and benefits.

26. As a direct and proximate result of Defendant's actions, Plaintiff has suffered, and will continue to suffer, emotional distress.

27. As a direct and proximate result of Defendant's actions, Plaintiff has incurred, and will continue to incur, attorneys' fees and costs of litigation.

COUNT I
PREGNANCY-BASED SEX DISCRIMINATION IN VIOLATION OF THE
MISSOURI HUMAN RIGHTS ACT

28. Plaintiff realleges and incorporates herein by reference each and every of the preceding allegations of this Petition as if fully set forth herein.

29. Defendant orally reprimanded Plaintiff for being physically unable to perform a particular job function due to her pregnancy.

30. Plaintiff's sex, by and through her pregnancy, was a contributing factor in such behavior of Defendant's toward Plaintiff.

31. Defendant's actions constitute an unlawful employment practice and a violation of Plaintiff's rights under § 213.055 RSMo.

32. As a direct result of such conduct, Plaintiff sustained damage due to her constructive discharge.

WHEREFORE, Plaintiff, Ms. Mahogany Coats, respectfully requests judgment in her favor against Defendant for compensatory damages in excess of \$25,000.00, together with pre- and post-judgment interest, plus costs of this action, reimbursement of back pay with interest, reinstatement and/or front pay, attorneys' fees, and such other relief as the Court may deem just and proper under the circumstances.

Respectfully submitted,

KODNER WATKINS, LC

By: /s/ Anthony S. Bretz
ANTHONY S. BRETZ, #61075
Attorney for Plaintiff
7800 Forsyth, Suite 700
St. Louis, Missouri 63105
(314) 727-9111
(314) 727-9110 Facsimile
E-mail: tbretz@kwklaw.net



IN THE 21ST JUDICIAL CIRCUIT COURT, ST. LOUIS COUNTY, MISSOURI

Judge or Division: STANLEY JAMES WALLACH	Case Number: 17SL-CC02705	(Date File Stamp)
Plaintiff/Petitioner: MAHOGANY COATS	Plaintiff's/Petitioner's Attorney/Address ANTHONY S BRETZ SUITE 700 7800 FORSYTH BLVD. CLAYTON, MO 63105	
Defendant/Respondent: SANOFI-AVENTIS U.S. LLC	Court Address: ST LOUIS COUNTY COURT BUILDING 105 SOUTH CENTRAL AVENUE CLAYTON, MO 63105	
Nature of Suit: CC Employmnt Discrmntn 213.111		

Summons in Civil Case

The State of Missouri to: SANOFI-AVENTIS U.S. LLC

Alias:

R/A CSC-LAWYERS INC SERVICE CO
221 BOLIVAR
JEFFERSON CITY, MO 65101

COURT SEAL OF



ST. LOUIS COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

SPECIAL NEEDS: If you have special needs addressed by the Americans With Disabilities Act, please notify the Office of the Circuit Clerk at 314-615-8029, FAX 314-615-8739 or TTY at 314-615-4567, at least three business days in advance of the court proceeding.

01-AUG-2017

Date

Further Information:

AMH

Joan P. Hilmy
Clerk

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.
☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with a person of the Defendant's/Respondent's family over the age of 15 years.
☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to

_____ (name) _____ (title).

☐ other _____.

Served at _____ (address)

in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on _____ (date).

(Seal)

My commission expires: _____

Date

Notary Public

Sheriff's Fees, if applicable

Summons \$ _____
 Non Est \$ _____
 Sheriff's Deputy Salary _____
 Supplemental Surcharge \$ 10.00
 Mileage \$ _____ (_____ miles @ \$ _____ per mile)
 Total \$ _____

A copy of the summons and a copy of the petition must be served on **each** Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

THE CIRCUIT COURT OF ST. LOUIS COUNTY, MISSOURI

Twenty First Judicial Circuit

NOTICE OF ALTERNATIVE DISPUTE RESOLUTION SERVICES

Purpose of Notice

As a party to a lawsuit in this court, you have the right to have a judge or jury decide your case. However, most lawsuits are settled by the parties before a trial takes place. This is often true even when the parties initially believe that settlement is not possible. A settlement reduces the expense and inconvenience of litigation. It also eliminates any uncertainty about the results of a trial.

Alternative dispute resolution services and procedures are available that may help the parties settle their lawsuit faster and at less cost. Often such services are most effective in reducing costs if used early in the course of a lawsuit. Your attorney can aid you in deciding whether and when such services would be helpful in your case.

Your Rights and Obligations in Court Are Not Affected By This Notice

You may decide to use an alternative dispute resolution procedure if the other parties to your case agree to do so. In some circumstances, a judge of this court may refer your case to an alternative dispute resolution procedure described below. These procedures are not a substitute for the services of a lawyer and consultation with a lawyer is recommended. Because you are a party to a lawsuit, you have obligations and deadlines which must be followed whether you use an alternative dispute resolution procedure or not. **IF YOU HAVE BEEN SERVED WITH A PETITION, YOU MUST FILE A RESPONSE ON TIME TO AVOID THE RISK OF DEFAULT JUDGMENT, WHETHER OR NOT YOU CHOOSE TO PURSUE AN ALTERNATIVE DISPUTE RESOLUTION PROCEDURE.**

Alternative Dispute Resolution Procedures

There are several procedures designed to help parties settle lawsuits. Most of these procedures involve the services of a neutral third party, often referred to as the "neutral," who is trained in dispute resolution and is not partial to any party. The services are provided by individuals and organizations who may charge a fee for this help. Some of the recognized alternative dispute resolutions procedures are:

(1) Advisory Arbitration: A procedure in which a neutral person or persons (typically one person or a panel of three persons) hears both sides and decides the case. The arbitrator's decision is not binding and simply serves to guide the parties in trying to settle their lawsuit. An arbitration is typically less formal than a trial, is usually shorter, and may be conducted in a private setting at a time mutually agreeable to the parties. The parties, by agreement, may select the arbitrator(s) and determine the rules under which the arbitration will be conducted.

(2) Mediation: A process in which a neutral third party facilitates communication between the parties to promote settlement. An effective mediator may offer solutions that have not been considered by the parties or their lawyers. A mediator may not impose his or her own judgment on the issues for that of the parties.

CCADM73

(3) Early Neutral Evaluation (“ENE”): A process designed to bring the parties to the litigation and their counsel together in the early pretrial period to present case summaries before and receive a non-binding assessment from an experienced neutral evaluator. The objective is to promote early and meaningful communication concerning disputes, enabling parties to plan their cases effectively and assess realistically the relative strengths and weaknesses of their positions. While this confidential environment provides an opportunity to negotiate a resolution, immediate settlement is not the primary purpose of this process.

(4) Mini-Trial: A process in which each party and their counsel present their case before a selected representative for each party and a neutral third party, to define the issues and develop a basis for realistic settlement negotiations. The neutral third party may issue an advisory opinion regarding the merits of the case. The advisory opinion is not binding.

(5) Summary Jury Trial: A summary jury trial is a non binding, informal settlement process in which jurors hear abbreviated case presentations. A judge or neutral presides over the hearing, but there are no witnesses and the rules of evidence are relaxed. After the “trial”, the jurors retire to deliberate and then deliver an advisory verdict. The verdict then becomes the starting point for settlement negotiations among the parties.

Selecting an Alternative Dispute Resolution Procedure and a Neutral

If the parties agree to use an alternative dispute resolution procedure, they must decide what type of procedure to use and the identity of the neutral. As a public service, the St. Louis County Circuit Clerk maintains a list of persons who are available to serve as neutrals. The list contains the names of individuals who have met qualifications established by the Missouri Supreme Court and have asked to be on the list. The Circuit Clerk also has Neutral Qualifications Forms on file. These forms have been submitted by the neutrals on the list and provide information on their background and expertise. They also indicate the types of alternative dispute resolution services each neutral provides.

A copy of the list may be obtained by request in person and in writing to: Circuit Clerk, Office of Dispute Resolution Services, 7900 Carondelet Avenue, 5th Floor, Clayton, Missouri 63105. The Neutral Qualifications Forms will also be made available for inspection upon request to the Circuit Clerk.

The List and Neutral Qualification Forms are provided only as a convenience to the parties in selecting a neutral. The court cannot advise you on legal matters and can only provide you with the List and Forms. You should ask your lawyer for further information.

**IN THE CIRCUIT COURT OF THE CITY OF ST. LOUIS
STATE OF MISSOURI**

MAHOGANY COATS,)	
Plaintiff,)	
)	Case No.: 1722-CC02705
v.)	
)	Division: 12
SANOFI-AVENTIS U.S. LLC)	
Defendant.)	

REQUEST FOR ISSUANCE OF ALIAS SUMMONS

COMES NOW PLAINTIFF, by and through the undersigned counsel, and
requests the issuance of an Alias Summons, for service on the following Defendant:

SANOFI-AVENTIS U.S. LLC
Serve Registered Agent at:
CSC-Lawyers Incorporating Service Company
221 Bolivar
Jefferson City, MO 65101

Respectfully Submitted,

KODNER WATKINS, LC

By: /s/ Anthony S. Bretz
ANTHONY S. BRETZ, #61075
Attorneys for Plaintiff
7800 Forsyth Blvd., Suite 700
St. Louis, Missouri 63105
(314) 727-9111
(314) 727-9110 Facsimile
E-Mail: tbretz@kwklaw.net

CERTIFICATE OF SERVICE

Signature above is also certification that a true and correct copy of the above and foregoing document has been issued to all parties of record this 31st day of October, 2017 via the Court's E-filing system.

IN THE CIRCUIT COURT OF THE COUNTY OF ST. CHARLES
STATE OF MISSOURI

MAHOGANY COATS,
Plaintiff,

v.

SANOFI-AVENTIS U.S. LLC,
Serve Registered Agent at:
CSC-Lawyers Incorporating Service
Company
221 Bolivar
Jefferson City, MO 65101,
Defendant.

)
)
) Case No.: 1722-CC02705
)
)
)
) Division: 12
)
)
) **JURY TRIAL DEMANDED**
)
)
)

MEMORANDUM OF NON-SERVICE

COMES NOW Plaintiff, by and through her undersigned counsel, and informs the Court that Defendant in the above-referenced matter was not served with the previously issued Summons.

Respectfully submitted:

KODNER WATKINS KLOCKER, L.C.

By: Anthony S. Bretz
ANTHONY S. BRETZ, #61075
Attorneys for Plaintiff
7800 Forsyth Boulevard; Suite 700
St. Louis, MO 63105
(314) 727-9111
(314) 727-9110 Facsimile
Email: tbretz@kwklaw.net

Signature above is also certification that a true and correct copy of the above and foregoing document has been issued to all parties of record this 31st day of October, 2017 via the Court's E-filing system.




IN THE 21ST JUDICIAL CIRCUIT COURT, ST. LOUIS COUNTY, MISSOURI

Judge or Division: STANLEY JAMES WALLACH	Case Number: 17SL-CC02705	(Date File Stamp)
Plaintiff/Petitioner: MAHOGANY COATS	Plaintiff's/Petitioner's Attorney/Address ANTHONY S BRETZ SUITE 700 7800 FORSYTH BLVD. CLAYTON, MO 63105	
Defendant/Respondent: SANOFI-AVENTIS U.S. LLC	Court Address: ST LOUIS COUNTY COURT BUILDING 105 SOUTH CENTRAL AVENUE CLAYTON, MO 63105	
Nature of Suit: CC Employmnt Discrmntn 213.111		

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 Alias:
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01-NOV-2017
 Date

Further Information:
 JB


 Clerk

Sheriff's or Server's Return

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☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to _____ (name) _____ (title).

☐ other _____.

Served at _____ (address)
 in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

 Printed Name of Sheriff or Server

 Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

(Seal) Subscribed and sworn to before me on _____ (date).

My commission expires: _____ Date _____ Notary Public _____

Sheriff's Fees, if applicable

Summons	\$ _____
Non Est	\$ _____
Sheriff's Deputy Salary	
Supplemental Surcharge	\$ 10.00
Mileage	\$ _____ (_____ miles @ \$. _____ per mile)
Total	\$ _____

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IN THE 21ST JUDICIAL CIRCUIT COURT, ST. LOUIS COUNTY, MISSOURI

Judge or Division: STANLEY JAMES WALLACH	Case Number: 17SL-CC02705
Plaintiff/Petitioner: MAHOGANY COATS	Plaintiff's/Petitioner's Attorney/Address ANTHONY S BRETZ SUITE 700 7800 FORSYTH BLVD. CLAYTON, MO 63105
Defendant/Respondent: SANOFI-AVENTIS U.S. LLC	Court Address: ST LOUIS COUNTY COURT BUILDING 105 SOUTH CENTRAL AVENUE CLAYTON, MO 63105
Nature of Suit: CC Employmnt Discrmntn 213.111	

RECEIVED
NOV 06 2017
FILED
NOV 21 2017
SHERIFF'S OFFICE

Summons in Civil Case

JOAN M. GILMER
CIRCUIT CLERK, ST. LOUIS COUNTY

The State of Missouri to: SANOFI-AVENTIS U.S. LLC

Alias:

R/A CSC-LAWYERS INC SERVICE CO
221 BOLIVAR
JEFFERSON CITY, MO 65101

COURT SEAL OF



ST. LOUIS COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

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01-NOV-2017

Date

Further Information:

JB

Joan M. Gilmer
Clerk

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.
☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with a person of the Defendant's/Respondent's family over the age of 15 years.
☒ (for service on a corporation) delivering a copy of the summons and a copy of the petition to

SL. (name) Designer (title).

☐ other

Served at 350 E. High (address)
 in Cole (County/City of St. Louis), MO, on 11-8-17 (date) at 8:00 AM (time).

John P. Wheeler
Printed Name of Sheriff or Server

By Quinn Wray
Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

(Seal)

Subscribed and sworn to before me on _____ (date).

My commission expires: _____

Date

Notary Public

Sheriff's Fees, if applicable

Summons \$ _____
 Non Est \$ _____
 Sheriff's Deputy Salary \$ _____
 Supplemental Surcharge \$ 10.00
 Mileage \$ _____ (_____ miles @ \$. _____ per mile)
 Total \$ _____

A copy of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.